IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE SIDE

Writ Petition No. 8111 of 2005

Municipal Corporation of
Greater Mumbai and others ..Petitioners

vs.

Shri Javed Jaffer Kazi ..Respondent

Shri A.J.Bhor for petitioners.
Shri P.S.Devas for respondent (absent)

**CORAM: S.B.MHASE J.**
**8th August,2006**

**P.C.**

1. Heard the learned Counsel at length.

2. The learned Counsel for the petitioners submitted that the respondent was involved in some criminal case and was arrested. When he was arrested he made an application for leave in which he has not disclosed that he was arrested in a criminal case and thereafter departmental enquiry was initiated against the respondent for not disclosing the said fact to the employer and increment for one year was withheld. That was challenged by the respondent. In the backdrop of the circumstances, the respondent was acquitted in the criminal case. However, the fact remains that he had given a leave application. There is no obligation on a party to say that he is involved in the criminal case. All these aspects have been rightly analysed by the Trial Court. No

interference is called for. Petition is, therefore, rejected.

**(S.B.MHASE J.)**